




Town Board Minutes

Meeting No. 15



Regular Meeting

May 23, 2005



Town Board Minutes

May 23, 2005

Meeting No. 15

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 23rd day of May at 8:00 P.M. and there were

PRESENT: DANIEL AMATURA, COUNCIL MEMBER
MARK MONTOUR, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: DONNA STEMPNIAK, COUNCIL MEMBER

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
ROBERT LABENSKI, TOWN ENGINEER
RICHARD SHERWOOD, TOWN ATTORNEY
JEFFREY SIMME, BUILDING INSPECTOR
CHRISTINE FUSCO, ASSESSOR
TERRENCE McCracken, GENERAL CREW CHIEF

EXECUTIVE SESSION:

UPON MOTION DULY MADE BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER AMATURA, to deliberate in Executive Session for the announced purpose of discussing a Police contract matter and a contractual matter which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

At 10:35 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

PERSONS ADDRESSING TOWN BOARD:

Toholski, Michelle, 43 Trentwood Trail, spoke to the Town Board on the following matter:

- Comments and concerns regarding the proposed Mohawk Trail Subdivision, specifically wetlands and wildlife issues.

Kohrer, Michael, 37 Trentwood Trail North, spoke to the Town Board on the following matter:

- Comments and concerns regarding proposed Mohawk Place Subdivision; alleges that the developer has planned a sanitary sewer easement on his property.

Bow, Robert, 4751 William Street, spoke to the Town Board on the following matters:

- Is opposed to the rezone of 4745 William Street.
- Does not want the traffic signal for this project next to his house.
- Concerns about snow plowing and flooding.
- Feels that the project is too close to his house.

Brown, Sean, 11 Traceway, spoke to the Town Board on the following matter:

- Comments about lots in the proposed Mohawk Place Subdivision.

Tshulos, Nicholas, 35 Trentwood Trail, spoke to the Town Board on the following matter:

- Opposed to the proposed Mohawk Place Subdivision.

Bellman, Jack, 19 Inwood Place, spoke to the Town Board on the following matter:

- Presented a petition regarding the Town's revaluation update.

Biernucki, Karen, 257 Seneca Place, spoke to the Town Board on the following matter:

- Opposed to Mohawk Place Subdivision.

Frys, Michelle, 247 Seneca Place, spoke to the Town Board on the following matter:

- Opposed to Mohawk Place Subdivision.

Daniel, William, 171 Seneca Place, spoke to the Town Board on the following matter:

- Opposed to Mohawk Place Subdivision.

Hoffman, Steve, represents the developer for proposed Mohawk Place Subdivision.

Boling, Bill, 167 Seneca Place, spoke to the Town Board on the following matter:

- Opposed to Mohawk Place Subdivision.

George, Mike, 372 Seneca Place, spoke to the Town Board on the following matter:

- Opposed to Mohawk Place Subdivision.

Tobolski, Ken, 43 Trentwood Trail, spoke to the Town Board on the following matter:

- Opposed to Mohawk Place Subdivision.

Chowaniec, Lee, 93 Northwood Drive, spoke to the Town Board on the following matters:

- Questions about proposed rezone at 4745 William Street and the Town's desire for a townwide traffic study.
- Is in favor of Town's requirement to flush storm drainage systems.

Sheehan, Lisa, 226 Enchanted Forest North, spoke to the Town Board on the following matter:

- Comments regarding traffic on Enchanted Forest North.
- Requests a speed reduction and "Children-At Play" sign.

Fronczak, Mike, 3 Woodstream, spoke to the Town Board on the following matter:

- Questions about townwide traffic study.
- Comments about subdivision connectivity.

Symer, Donald, 610 Columbia Avenue, spoke to the Town Board on the following matter:

- Is in favor of the resolution which requires flushing of storm drainage systems.
- Questions about building permits issued in a new subdivision.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:30 P.M., the Town Board held a Public Hearing to hear all interested persons for consideration of the joint increase and improvement of facilities of the Town of Lancaster Sewer District No. 1 & 2.

The affidavits of publication of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME	ADDRESS	Proponent/ Opponent/ Comments/Questions
Donald Symer	610 Columbia Avenue	Opponent

ON MOTION BY COUNCIL MEMBER MONTOUR, AND SECONDED BY COUNCIL MEMBER RUFFINO, FOR ADJOURNMENT OF THE PUBLIC HEARING, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

The Public Hearing was adjourned at 8:45 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

May 23, 2005

PUBLIC HEARING SCHEDULED FOR 8:35 P.M.:

At 8:45 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed amendment to the Vehicle & Traffic Ordinance of the Town of Lancaster for stop & yield intersections within Quail Run Subdivision.

The affidavits of publication of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME	ADDRESS	Proponent/ Opponent/ Comments/Questions
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None

ON MOTION BY COUNCIL MEMBER RUFFINO, AND SECONDED BY COUNCIL MEMBER AMATURA, FOR ADJOURNMENT OF THE PUBLIC HEARING, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

The Public Hearing was adjourned at 8:46 P.M.

The Town Board, later in the meeting, adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

May 23, 2005

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED, that the minutes of the Joint Meeting of the Town Board and the Planning Board held May 2, 2005 and the Regular Meeting of the Town Board held May 2, 2005 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

May 23, 2005

File: RMIN (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED IT'S ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, a Public Hearing was held on the 23rd day of May, 2005 for the purpose of amending Chapter 46 - Vehicle and Traffic Ordinance of the Code of the Town of Lancaster and persons for and against such amendment have had an opportunity to be heard, and

WHEREAS, a Notice of said Public Hearing was duly published and posted:

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That Chapter 46, Vehicle and Traffic Ordinance of the Code of the Town of Lancaster be amended in the form attached hereto and made a part hereof;
2. That said amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on May 23, 2005;
3. That a Certified Copy thereof be published in the Lancaster Bee on May 26, 2005;
4. That a Certified Copy of the amendment be posted on the Town Bulletin Board;
5. That Affidavits of Publication and Posting be filed with the Town Clerk;
6. That the Highway Superintendent take whatever action is necessary to install signs in accordance with the Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

May 23, 2005

File: rvtordchpr46stopsigns505a

**LEGAL NOTICE
NOTICE OF ADOPTION
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK**

NOTICE IS HEREBY GIVEN that the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of the Town of Lancaster is hereby amended as follows:

CHAPTER 46

**Article VIII, STOP INTERSECTIONS; NON-INTERSECTION
STOPS; YIELD INTERSECTIONS**

**46-8.1 Stop Intersections designated, is hereby amended by adding
thereto the following:**

QUAIL RUN SUBDIVISION

<u>STREET NAME</u>	<u>INTERSECTING STREET</u>	<u>SIGN LOCATION</u>
Quail Run Lane	Stonybrook Drive	N.W. Corner
Quail Run Lane	Hunters Drive	S.E. Corner

May 23, 2005

STATE OF NEW YORK :
COUNTY OF ERIE : ss:
TOWN OF LANCASTER :

THIS IS TO CERTIFY that I, JOHANNA M. COLEMAN, Town Clerk of the Town of Lancaster in the said Town of Lancaster in the said County of Erie, have compared the foregoing copy of an amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, with the original thereof filed in my office at Lancaster, New York on the 23rd day of May, 2005, and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Town, this 23rd day of May, 2005.

Johanna M. Coleman, Town Clerk

File: rvtordchpt46stopsigns505a

THE FOLLOWING RESOLUTION WAS OFFERED BY
SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER AMATURA, TO WIT:

WHEREAS, Janice Korzeniewski was appointed to the position of Clerk, part time in the Town Clerk's Office on April 4, 2005 but has declined the position and will remain as a Recreation Attendant in the Senior Citizen Center, and

WHEREAS, the Town Clerk of the Town of Lancaster, has recommended the appointment of Rose Ann Brunstad, 22 Woodgate Drive, Lancaster, New York 14086 to fill the vacant position of Clerk, permanent, part time in the Town Clerk's Office.

NOW, THEREFORE, BE IT

RESOLVED, as follows:

SECTION 1: That Rose Ann Brunstad, 22 Woodgate Drive, Lancaster, New York 14086, be and is hereby appointed to the position of Clerk, part time, permanent, in the Office of the Town Clerk, working not more than nineteen and one-half (19 ½) hours per week.

SECTION 2: That Rose Ann Brunstad be compensated on an hourly step rate (starting at 90% of full, or ~~\$11.21~~ ^{\$11.54 gmc} per hour) as follows:

Hourly wage, on step:	Full rate:	= \$12.83
90% until cumulative hours worked = 910		= \$11.54
95% until cumulative hours worked = 911 to 1820		= \$12.18
100% cumulative hours worked exceed 1820		= \$12.83

SECTION 3: That this appointment be effective retroactive to May 16, 2005.

SECTION 4: That this appointment, being a part time position, provides no health insurance, sick days, vacation or other fringe benefits not specifically mandated for part time employees.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

May 23, 2005

File: Rperste.p.t

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED, that the following individuals be and hereby are appointed
members of the Town of Lancaster Youth Board for the period June 1, 2005 to May 31, 2007:

Claire Schlum, Chairman
John Parker, Co-Chairman
Jill Cadby
Michael Furlani
Suzanne Jacobs
Keith Kerl
Elizabeth Knittel
Joseph Maciejewski
Anthony Marrano
Daniel Palumbo
Daniel Paveljack
Jill Santoro
Rev. Paul Stellar
Jamie Volkenner
Shirley Zuppelli

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

May 23, 2005

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, the hours of operation for Town Offices were set by resolution adopted by the Town Board on January 1, 2004, and

WHEREAS, many individuals are desirous of flexible working hours during the summer months.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board authorizes department heads to incorporate, at their discretion, flexible working hours for the period June 1, 2005 through September 16, 2005 inclusive, with employees rotating working hours between 8:00 A.M. to 4:00 P.M. and 9:00 A.M. to 5:00 P.M., with all employees required to take the usual 1-hour lunch break, and always ensuring that at least one (1) individual covers the office between the required Town office hours of 9:00 A.M. and 5:00 P.M.

BE IT FURTHER

RESOLVED, that the policy applies to the following departments:

Town Clerk
Assessor
Building Inspector
Parks & Recreation
Supervisor

Courts
Town Attorney
Engineering
Youth Bureau

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

May 23, 2005

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town of Lancaster has previously entered into an agreement with the Federal Government through the Departments of Treasury and Justice, such agreement entitled "Federal Equitable Sharing Agreement" which said agreement expires September 30, 2005, and

WHEREAS, the Town of Lancaster has received a renewal agreement which will commence October 1, 2005 and be effective through September 30, 2008, and

WHEREAS, the Town Board after due review and consideration is desirous of renewing the agreement with the Departments of Treasury and Justice in order to assure that the Town of Lancaster Police Department will share in certain asset forfeitures with these federal agencies as permitted by law;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster and the Chief of Police of the Town of Lancaster to sign the renewal of the Federal Equitable Sharing Agreement which shall be valid through September 30, 2008 and that they are further authorized to sign the Federal Annual Certification Report, and

BE IT FURTHER

RESOLVED that the Office of the Supervisor shall thereafter attend to submitting the renewal agreement and the annual certification report to both the Department of Treasury and the Department of Justice in compliance with the terms of the agreement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

May 23, 2005

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED
ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AMATURA, TO WIT:

WHEREAS, the General Crew Chief of the Parks and Recreation Department of the Town of Lancaster by letter dated May 16, 2005 has recommended the appointment of Ronald J. Polanski to the position of Van Driver, at the Senior Citizens Center of the Town of Lancaster.

NOW, THEREFORE, BE IT

RESOLVED, that Ronald J. Polanski, 52 Waltham Avenue, Lancaster, New York be and is hereby appointed to the position of Van Driver, permanent, part-time, at the Senior Citizens Center of the Town of Lancaster, at \$7.00 per hour, and that this appointment, being a part time position, provides no health insurance, sick days, vacation or other fringe benefits not specifically mandated for part time employees.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

May 23, 2005

file: Rpers\Rperstc.p1 (P5)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER RUFFINO, TO WIT:

WHEREAS, the Supervisor has requested the creation of one (1)
additional position of Senior Clerk Typist in the Town of Lancaster, to be placed in the
Supervisor's Office.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and is
hereby authorized to complete and submit Form PO-17 (New Position Duties Statement) to
create one (1) position of Senior Clerk Typist in the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a
vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

May 23, 2005

file: RPERS.CRE (P9)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, a vacancy exists in the Supervisor's Office due to the retirement of Phyllis Greco, Senior Clerk Stenographer, and

WHEREAS, this vacancy may be filled by a position title of Senior Clerk Typist, and

WHEREAS, Mary J. Nowak, presently employed in the Tax Department of the Town of Lancaster, and the number one person on the Promotional Civil Service list for the title of Senior Clerk Typist, has requested an internal transfer from the Tax Department of the Town Clerk's Office to the Supervisor's Office, and

WHEREAS, this transfer has been agreed upon by both the Town Clerk and the Supervisor, and

NOW, THEREFORE, BE IT

RESOLVED, that Mary J. Nowak, 423 Eric Street, Lancaster, New York be and is hereby appointed to the permanent civil service competitive position of Senior Clerk Typist, full time, continuing to accrue all benefits, with a salary of \$36,686, effective June 6, 2005 in the Supervisor's Office.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

May 23, 2005

file: RPEPS.APP (P19)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the General Crew Chief, by letter dated May 18, 2005, has requested the appointment of seasonal employees in the Parks, Recreation and Forestry Department of the Town of Lancaster for the spring/summer of 2005.

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and are hereby appointed to the position of seasonal employees for the spring/summer of 2005 in the Parks, Recreation and Forestry Department of the Town of Lancaster, with no benefits at the following hourly rate, effective May 23, 2005:

<u>NAME</u>	<u>POSITION</u>	<u>RATE</u>
Sheralyn Casey (rehire) 1 Robert Drive, Apt. 9, Lancaster	Lifeguard	\$6.75 hr.
Marikate Ellis (rehire) 14 Pheasant Run Lane, Lancaster	Lifeguard	\$7.50 hr.
Megan Geblein (rehire) 14 Linden Avenue, Lancaster	Lifeguard	\$7.50 hr.
Brianne Leary (rehire) 19 Hill Valley Drive, Lancaster	Lifeguard	\$7.75 hr.
Lindsey Marrano (new hire) 26 Hillside Parkway, Lancaster	Lifeguard	\$6.50 hr.
Sarah Minkel (new hire) 36 Via Donato East, Depew	Lifeguard	\$6.50 hr.
Stephanie Pericozzi (new hire) 14 Stony Brook Drive, Lancaster	Lifeguard	\$6.50 hr.
Robert Prawel (new hire) 15 Veterans Drive, Lancaster	Lifeguard	\$6.50 hr.
Julia Ruggiero (new hire) 10 Candice Court, Lancaster	Lifeguard	\$6.50 hr.
Jennifer Sajdak (rehire) 8 Cidermill Court, Depew	Lifeguard	\$7.00 hr.
Mitch Sterling (new hire) 75 Elm Place, Lancaster	Lifeguard	\$6.50 hr.
Nicholas Weigand (new hire) 136 Belmont Avenue, Lancaster	Lifeguard	\$6.50 hr.
Andrea Berry (rehire) 420 Hall Road, Elma	Recreation Attendant (Tennis Instructor)	\$6.25 hr.
George Besch (rehire) 39 Lake Avenue, Lancaster	Recreation Attendant (Tennis Supervisor)	\$13.25 hr.

Anthony Fronczak (rehire) 19 S. Irwinwood Rd., Lancaster	Recreation Attendant (Tennis Instructor)	\$6.25 hr.
Cori Greenawalt (rehire) 10 Old Orchard Common, Lancaster	Recreation Attendant (Tennis Supervisor)	\$9.25 hr.
Aaron Hejmowski (rehire) 17 Briarwood Drive, Lancaster	Recreation Attendant (Tennis Instructor)	\$7.65 hr.
Kyle Hejmowski (rehire) 17 Briarwood Drive, Lancaster	Recreation Attendant (Tennis Instructor)	\$7.40 hr.
Katie Kestel (rehire) 28 Cornell Drive, Depew	Recreation Attendant (Tennis Instructor)	\$6.25 hr.
Deanna Stengel (rehire) 46 Court Street, Lancaster	Recreation Attendant (Tennis Instructor)	\$6.25 hr.
Thomas Suchy III (new hire) 18 Westwood Road, Lancaster	Recreation Attendant (Tennis Instructor)	\$6.00 hr.
Collin Wittman (rehire) 45 School Street, Lancaster	Recreation Attendant (Tennis Instructor)	\$6.50 hr.
Anthony Ambrose (new hire) 80 Holland Avenue, Lancaster	Recreation Attendant (Playground Attendant)	\$6.00 hr.
Joseph Aquino (rehire) 399 Lake Avenue, Lancaster	Recreation Attendant (Playground Attendant)	\$6.25 hr.
Tracy Colvin (new hire) 360 Lake Avenue, Lancaster	Recreation Attendant (Playground Attendant)	\$6.00 hr.
Erin Fitzsimmons (rehire) 301 Lake Avenue, Lancaster	Recreation Attendant (Playground Attendant)	\$6.75 hr.
Michael Gruber (rehire) 4 Fox Hunt Road, Lancaster	Recreation Attendant (Playground Attendant)	\$6.75 hr.
Megan Harf (new hire) 6342 Broadway, Lancaster	Recreation Attendant (Playground Attendant)	\$6.00 hr.
Kara Hejmowski (rehire) 17 Briarwood Drive, Lancaster	Recreation Attendant (Playground Attendant)	\$6.75 hr.
Lauren Kicak (new hire) 390 Central Avenue, Lancaster	Recreation Attendant (Playground Attendant)	\$6.00 hr.
Adam Koninieć (rehire) 50 Crane Street, Depew	Recreation Attendant (Playground Supervisor)	\$8.25 hr.
Jamie Kremer (new hire) 586 Lake Avenue, Lancaster	Recreation Attendant (Playground Attendant)	\$6.00 hr.
Aaron Leon (rehire) 1 Matthews Drive, Lancaster	Recreation Attendant (Playground Attendant)	\$6.25 hr.
Courtney Monin (new hire) 57 Gale Drive, Lancaster	Recreation Attendant (Playground Attendant)	\$6.00 hr.
Robert Pitzonka (new hire) 183 Nathan's Trail, Lancaster	Recreation Attendant (Playground Attendant)	\$6.00 hr.
Joe Rera (new hire) 83 Williamsburg Lane, Lancaster	Recreation Attendant (Playground Attendant)	\$6.00 hr.

Matthew Schunk (new hire) 14 West Payne Street, Lancaster	Recreation Attendant (Playground Attendant)	\$6.00 hr.
Lacey Severins (new hire) 26 Rollingwood Drive, Lancaster	Recreation Attendant (Playground Attendant)	\$6.00 hr.
Amy Skubis (rehire) 233 Seneca Place, Lancaster	Recreation Attendant (Playground Supervisor)	\$8.50 hr.
Bethany Stephan (new hire) 14 Main Street, Bowmansville	Recreation Attendant (Playground Attendant)	\$6.00 hr.
Michelle Sypniewski (rehire) 12 Maple Drive, Bowmansville	Recreation Attendant (Playground Supervisor)	\$8.75 hr.
Richard Wojciechowski (rehire) 95 S. Irwinwood Road, Lancaster	Recreation Attendant (Playground Supervisor)	\$12.75 hr.
Melissa Young (rehire) 10 Linden Avenue, Lancaster	Recreation Attendant (Playground Supervisor)	\$9.00 hr.
Steven Goehle (new hire) 5109 William Street, Lancaster	Laborer	\$6.00 hr.
Nick Jakubowski (new hire) 7 Hidden Trail, Lancaster	Laborer	\$6.00 hr.

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

May 23, 2005

File: Rpers.seasonal (P4-6))

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the General Crew Chief, by letter dated May 28, 2005, has requested the appointment of seasonal employees in the Parks, Recreation and Forestry Department of the Town of Lancaster for the summer season of 2005.

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and are hereby appointed retroactively to the position of seasonal employees for the summer season of 2005 in the Parks, Recreation and Forestry Department of the Town of Lancaster, with no benefits at the following hourly rates:

<u>NAME</u>	<u>POSITION</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Jeffrey Au (rehire) 3 Country Place, Lancaster	Recreation Attendant (Playground Attendant)	\$6.75 hr	5/10/05
Gregory Meyer (rehire) 2 Petersbrook Cir, Lancaster	Recreation Attendant (Playground Attendant)	\$6.25 hr.	5/9/05
Patrick Schunk (rehire) 14 West Payne St, Lancaster	Recreation Attendant (Playground Attendant)	\$6.50 hr.	5/12/05

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

May 23, 2005

File: Rpers.seasonal (P7)

THE FOLLOWING RESOLUTION WAS OFFERED BY
SUPERVISOR GIZA, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER MONTOUR, TO WIT:

WHEREAS, Lynn Harrington has resigned from the full time position of Program Coordinator at the Youth Bureau of the Town of Lancaster, effective May 23, 2005, and

WHEREAS, the Executive Director of the Youth Bureau has offered her employment as a Program Coordinator, part time in the Youth Bureau, which has been accepted by Lynn Harrington.

NOW, THEREFORE, BE IT

RESOLVED, that Lynn Harrington, 9 Wildwood Drive, Lancaster, New York be and is hereby appointed to the position of Program Coordinator, part time, in the Youth Bureau of the Town of Lancaster effective May 24, 2005, at an hourly rate of \$22.81 and that this appointment, being a part time position provides no health insurance, sick days, vacation or other fringe benefits not specifically mandated for part time employees.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

May 23, 2005

file: RPERS\Rperstc.p.t

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER AMATURA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, Creekside Development LLC, 180 Genesee Street, Corfu, New York, 14036 has applied to the Town Board of the Town of Lancaster for a permit to construct a Public Improvement upon real property in the Town of Lancaster within Whispering Pines Subdivision, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit application that he has reviewed the improvement plan and permit application for the installation of the public improvement requested, and that it conforms to the Ordinances of the Town of Lancaster.

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Application No. 601 of Creekside Development LLC, 180 Genesee Street, Corfu, New York, 14036, for the installation of:

P.I.P. No. 601
(Other)

Whispering Pines Subdivision; Americo Court,
install 24' x 6' box culvert, wing walls, rip-rap, and
guide rails as shown on drawing BR 1.

be and are hereby authorized.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

May 23, 2005

File: RPIP (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, Section 4-104(5) of the Election Law of the State of New York provides for consolidation of election districts located within the same polling place in Primary Elections if the candidates of each district are the same on each voting machine and the consolidation results in less than 1200 voters in a consolidated polling place, and

WHEREAS, the Town Clerk has informed the Town Board that she wishes to take advantage of Section 4-104(5) of the Election Law to save taxpayers more than \$8,500 in inspector payroll costs and over \$1,000 in voting machine delivery costs, and

WHEREAS, the Town Clerk has assured the Town Board that no voter will be inconvenienced by the consolidation since only districts located within the same polling place will be consolidated.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk of the Town of Lancaster be and is hereby authorized to petition the Erie County Board of Elections for permission to consolidate election districts within the Town of Lancaster for the 2005 Fall Primary pursuant to the provision of Section 4-104(5) of the Election Law of the State of New York, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to take any further action necessary to effect the purpose and interest of this consolidation resolution.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

May 23, 2005

File: RCONSOL.DIS

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AMATURA, TO WIT:

WHEREAS, Kunvarji Hotels Inc., 6013 Eastbrook Place, Williamsville, New York 14221, has submitted a revised Site Plan prepared by Young and Wright Architectural, dated 2005 and received April 26, 2005 for the proposed construction of one hotel at 62,798 sq. ft. on 2.43 acres on the east side of Transit Road, north of the NYS Thruway, located in the Town of Lancaster, and

WHEREAS, the Planning Board has reviewed the plan, and at its meeting May 18, 2005 has recommended approval of this project, and

WHEREAS, the Town's Municipal Review Committee reviewed the revised Site Plan to determine whether the proposed development was in compliance with the SEQR Negative Declaration made thereon with regard to the buildout of the entire site on the east side of Transit Road, north of the New York State Thruway (Kunvarji Hotels, Inc.) and has determined that the site plan is in compliance;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the revised Site Plan submitted by Kunvarji Hotels Inc. and prepared by Young and Wright Architectural, dated 2005 and received April 26, 2005 for the proposed construction of one hotel at 62,798 sq. ft. on 2.43 + acres on the east side of Transit Road, north of the NYS Thruway, in the Town of Lancaster with the following conditions:

- 1) Landscaping plan to be approved by Crew Chief Terrence McCracken.
- 2) Lighting plan to be provided to Town Board.
- 3) Plan to show a screened dumpster.
- 4) Driveway along east line to be offset 4 feet with appropriate landscaping along the east line of the parcel.
- 5) Undeveloped area along the west side of the front of the hotel to be grassed and maintained.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

May 23, 2005
File: rspkunjihotels505

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, Nando Silenzi and John Cipolla, 6495 Transit Road, Bowmansville, New York 14026, the contract vendee for the rezone of a parcel of land located on 4745 William Street, Lancaster, New York has petitioned the Town Board of the said Town for the rezone of said property from a Residential District One (R-1) to General Business (GB), and

WHEREAS, the Petition has been referred to the Planning Board of the Town of Lancaster for its recommendation and report;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Sections 130 and 265 of the Town Law of the State of New York a Public Hearing on the proposed rezone will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 6th day of June, 2005, at 8:30 o'clock P.M., Local Time, and that Notice of the Time and Place of such Hearing be published in the Lancaster Bee, a newspaper of general circulation in said Town on May 26, 2005, and be posted on the Town Bulletin Board, and that Notice of such Hearing be referred to the Erie County Department of Planning, pursuant to Section 239 (m) of the General Municipal Law, which Notice shall be in form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

May 23, 2005

File: rrezone4745williamstreetgourmetgrocerystore505

**LEGAL NOTICE
REZONE - PUBLIC HEARING
4745 WILLIAM STREET
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on May 23, 2005, the said Town Board will hold a Public Hearing on the 6th day of June, 2005 at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster, rezoning the following described real property from Residential District One (R-1) to General Business (GB):

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot 95, Township 10, Range 6 of the Buffalo Creek Reservation, and more particularly described as follows:

COMMENCING at the point of intersection of the center line of William Street (80 feet wide), also being the north line of Lot 95, with the center line of Transit Road, also being the west line of Lot 95.

THENCE N-88°-39'-12"-E, along the center line of William Street, a distance of 622.90 feet to a point;

THENCE S-00°-05'-30"-W, a distance of 25.01 feet to a point in the south line of William Street (50 feet wide);

THENCE N-88°-35'-30"-E, along the south line of William Street (50 feet wide), a distance of 225.16 feet to the POINT OF BEGINNING;

THENCE N-88°-35'-30"-E, along the south line of William Street (50 feet wide), a distance of 169.48 feet to a point;

THENCE S-00°-05'-30"-W, parallel with the west line of Lot 95, a distance of 150.00 feet to a point;

THENCE S-88°-35'-30"-W, parallel with the south line of William Street a distance of 169.48 feet to a point;

THENCE N-00°-5'-30"-E, parallel with the west line of Lot 95, a distance of 150.00 feet to a point on the south line of William Street (50 feet wide) and the POINT OF BEGINNING.

Containing 0.58 more or less acres.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**BY: JOHANNA M. COLEMAN
Town Clerk**

May 23, 2005

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER AMATURA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

In the Matter
of the

Joint Increase and Improvement of Facilities of the Sewer District No. 1 and Sewer District No. 2 and all extensions, in the Town of Lancaster, in the County of Erie, New York, pursuant to Section 202-b of the Town Law.

-----X

**RESOLUTION AND ORDER
AFTER PUBLIC HEARING APPROVING
THE JOINT INCREASE AND IMPROVEMENT OF FACILITIES
OF SEWER DISTRICT NO. 1 AND SEWER DISTRICT NO. 2
AND ALL EXTENSIONS**

WHEREAS, the Town Board of the Town of Lancaster (herein called "Town Board" and "Town", respectively), in the County of Erie, New York on behalf of the Town's Sewer District No. 1 and Sewer District No. 2 and all extensions (collectively, the "Districts"), in the Town, has requested URS Corporation, engineers duly licensed by the State of New York ("Engineer"), to prepare a map, plan and report for the joint increase and improvement of facilities of the Districts consisting of preparation of an engineering study for the evaluation of waste water collection system for the Districts including, but not limited to, the installation of area-velocity flow meters and the performance of television and smoke testing, internal home inspections (to identify potential cross connections between sump pumps and sanitary sewers), schematic modeling and report preparation, all of the foregoing to include apparatus and other improvements and costs incidental thereto (the "Improvement Project"), and has estimated the total cost thereof to be \$140,000; said cost to be financed by the issuance of serial bonds of the Town in the amount of \$140,000, said amount to be offset by any federal, state, county and/or local grants; and

WHEREAS, the Town Board has given due consideration to the impact that the joint increase and improvement of the facilities of the Districts and all extensions may have on the environment and on the basis of such consideration, the Town Board found that no substantial adverse environmental impact will be caused thereby; and

WHEREAS, the Town Board and the Town have complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act, comprising Article 8 of the Environmental Conservation Law and, in connection therewith, duly issued a negative declaration and/or other applicable documentation, which has been filed in the office of the Town Clerk.

WHEREAS, the Town Board issued an Order at its April 18, 2005 meeting calling for a public hearing to be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 2nd day of May, 2005 at 8:30 o'clock P.M. (prevailing time) to consider said joint increase and improvement of facilities of the Districts and all extensions and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law, and further ordered the Town Clerk to publish at least once in a newspaper designated as an official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the date of such public hearing; and

WHEREAS, said notices of the public hearing was properly posted; however, the Town newspaper improperly published said notice of public hearing; and

WHEREAS, the Town Board issued an Order at its May 2, 2005 meeting calling for a further public hearing to be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 23rd day of May, 2005 at 8:30 o'clock P.M. (prevailing time) to consider said joint increase and improvement of facilities of the Districts and all extensions and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law, and further ordered the Town Clerk to publish at least once in a newspaper designated as an official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the date of such public hearing; and

WHEREAS, said notices of the public hearing were properly published and posted and the public hearing duly held at the time and place stated in the notices.

NOW THEREFORE BE IT RESOLVED AND DETERMINED BY THE TOWN BOARD OF THE TOWN OF LANCASTER, based on the information provided at the public hearing, as follows:

DETERMINED, that it is in the public interest to jointly increase and improve the facilities of the Districts and all extensions as hereinabove described and referred to at the estimated maximum cost of \$140,000; and it is hereby

DETERMINED, that the parcels and lots of the Districts shall be benefited by said joint increase and improvement of the facilities of the Districts and all extensions; and it is hereby

DETERMINED, that all parcels and lots benefitted by said joint increase and improvement of the facilities and all extensions are included in the Districts; and it is hereby

ORDERED, that the facilities of the Districts shall be so jointly increased and improved and that the Engineer shall prepare plans and specifications and make a careful estimate of the expense for said joint increase and improvement of the facilities, and with the assistance of the Town Attorney, prepare a proposed contract for the execution of the work, which plans and specifications, estimate and proposed contract shall be presented to the Town Board as soon as possible, and it is hereby

FURTHER ORDERED, that the expense of said joint increase and improvement of the facilities shall be financed by the issuance of serial bonds of the Town in an amount not to exceed \$140,000, said amount to be offset by any federal, state, county and/or local grants, and the costs of said joint increase and improvement of facilities shall be annually apportioned among the Districts by the Town Board, and the amounts so apportioned shall be assessed, levied and collected from the several lots and parcels of land within each such district for such purpose in the same manner and at the same time as other Town charges, except as provided by law, and it is hereby

FURTHER ORDERED, that within ten (10) days after adoption of this Resolution and Order, the Town Clerk shall record with the Clerk of the County of Erie a copy of this Resolution and Order, certified by said Town Clerk.

DATED: May 23, 2005

TOWN BOARD OF THE
TOWN OF LANCASTER

(SEAL)

The adoption of the foregoing Resolution Approving the Joint Increase and Improvement of Facilities of the Sewer District No. 1 and Sewer District No. 2 and all extensions was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

The Resolution approving the joint increase and improvement of facilities of the Sewer District No. 1 and Sewer District No. 2 and all extensions was declared adopted.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER AMATURA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

BOND RESOLUTION DATED MAY 23, 2005

A RESOLUTION OF THE TOWN OF LANCASTER TOWN BOARD DATED MAY 23, 2005, AUTHORIZING THE JOINT INCREASE AND IMPROVEMENT OF FACILITIES OF THE SEWER DISTRICT NO. 1 AND SEWER DISTRICT NO. 2 AND ALL EXTENSIONS AT A MAXIMUM AMOUNT NOT TO EXCEED \$140,000, AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$140,000 OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED FOR SAID OBJECT OR PURPOSE OR REDEMPTION OF THE TOWN'S OBLIGATION ISSUED THEREFOR, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

WHEREAS, the Town Board of the Town of Lancaster, Erie County, New York (the "Town"), has determined to proceed with the Joint Increase and Improvement of Facilities of the Sewer District No. 1 and Sewer District No. 2 and all extensions (the "Improvement Project"); and

WHEREAS, the Town Board desires to undertake the construction of the Improvement Project, involving preparation of an engineering study for the evaluation of waste water collection system for the Districts including, but not limited to, the installation of area-velocity flow meters and the performance of television and smoke testing, internal home inspections (to identify potential cross connections between sump pumps and sanitary sewers), schematic modeling and report preparation, all of the foregoing to include apparatus and other improvements and costs incidental thereto, (the "Improvement").

WHEREAS, the Town Board desires to issue obligations of the Town to finance the costs of the Improvements.

BE IT RESOLVED, by the Town Board (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

SECTION 1. The specific purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the Joint Increase and Improvement of facilities of the Sewer District No. 1 and Sewer District No. 2 and all extensions (the "Districts") in the Town of Lancaster. The maximum cost of said purpose will not exceed \$140,000.

SECTION 2. The Town Board plans to finance the maximum estimated cost of said purpose by the issuance of serial bonds in an amount not to exceed \$140,000 of said Town, hereby authorized to be issued therefore pursuant to the Local Finance Law, said amount to be offset by any federal, state, county and/or local grants. The cost of such improvements is to be paid by the issuance of serial bonds, and by the assessment, levy and collection of assessments from the several lots and parcels of land within the Districts which the Town Board shall determine and specify to be especially benefitted thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on such bonds as the same become due and payable, except as provided by law.

SECTION 3. It is hereby determined that said purpose is an object or purpose described in subdivision 4 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is 40 years.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of said bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

SECTION 6. The faith and credit of said Town are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall be the assessment, levy and collection of assessments from the several lots and parcels of land within the Districts in the same manner and at the same time as other Town charges, except as provided by law, sufficient to pay the principal of and interest on such bonds as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said notes and of Section 21.00, Section 50.00, Sections 56.00 to 60.00, Section 62.00 and Section 63.00 of the Local Finance Law, the powers and duties of the Town Board pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town.

SECTION 8. The expected source of funds to be used initially to pay for up to \$140,000 of the expenditures authorized by Section 1 of this resolution shall be from moneys held in various accounts of the Town. The Town then reasonably expects to reimburse such expenditure with the proceeds of the bonds or bond anticipation notes authorized by Section 2 of this resolution. This resolution shall constitute the declaration of the Town's "official intent" to reimburse the expenditures authorized by Section 1 hereof with the proceeds of the bonds and notes authorized herein, as required by United States Treasury Regulation Section 1.150-2.

SECTION 9. The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution, and any notes issued in anticipation thereof as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

Section 10. The Town Supervisor is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c12-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

Section 11. The Town has issued a negative declaration determining that the undertaking of the Improvement Project will not have a significant effect on the environment.

Section 12. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

(1) (a) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

(b) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and

an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or

(2) Said obligations are authorized in violation of the provisions of the Constitution of New York.

Section 13. The Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of said Local Finance Law, in a newspaper having a general circulation in said Town and designated as the official newspaper of said Town for such publication.

Section 14. This Resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

The foregoing resolution was thereupon declared duly adopted.

May 23, 2005

NOTICE OF BOND RESOLUTION

TOWN OF LANCASTER

NOTICE IS HEREBY GIVEN that a resolution, a summary of which is published herewith, has been adopted by the Town Board of the Town of Lancaster, County of Erie, on the 23rd day of May, 2005 and the validity of the obligations authorized by such resolution may be hereafter contested only if:

(1) (a) such obligations were authorized for an object or purpose for which the Town of Lancaster is not authorized to expend money or

(b) if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice; or

(2) such obligations were authorized in violation of the provisions of the Constitution of New York.

SUMMARY OF RESOLUTION

The following is a summary of a resolution adopted by the Town Board of the Town of Lancaster on the 23rd day of May, 2005. Said resolution authorizes the issuance and sale of a serial bond or bonds and a bond anticipation note or notes in anticipation of the issuance and sale of said serial bonds, in an amount not to exceed \$140,000.00. The improvements, involving preparation of an engineering study for the evaluation of waste water collection system for the Districts including, but not limited to, the installation of area-velocity flow meters and the performance of television and smoke testing, internal home inspections (to identify potential cross connections between sump pumps and sanitary sewers), schematic modeling and report preparation, all of the foregoing to include apparatus and other improvements and costs incidental thereto (the "Improvement Project"), will be paid for by the issuance of serial bonds in that amount offset by any federal, state, county, and/or local funds received. The proceeds from the sale of the obligations authorized in said resolution shall be used for the specific purpose of constructing the Joint Increase and Improvement of Facilities of the Sewer District No. 1 and Sewer District No. 2 and all extensions. The period of probable usefulness for said purpose is 40 years. A copy of the resolution summarized herein is available for public inspection during normal business hours at the Office of the Town Clerk, located in the Town Hall, 21 Central Avenue, Lancaster, New York.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER AMATURA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has undertaken review and consideration of the need to revise the public improvement permit for storm drainage systems within subdivisions, and

WHEREAS, the Board has specifically considered the need to flush the storm drainage system in subdivisions which are under construction at two year intervals and upon full build out of the subdivision to assure that there is no siltation accumulation in the system which might affect free flow and full capacity of the storm drainage system;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby adopts a revision to the specifications for storm drainage systems and the public improvement permits which are issued for the construction of storm water drainage within new subdivisions as follows:

1) The developer or his successor in interest will be required to flush the storm drainage systems at intervals of two years from the initial construction for so long as the subdivision remains under construction, whether the construction is done in phases or not. The developer/owner will also be required to flush the entire storm drainage of the subdivision - all phases, system upon completion of the subdivision.

2) When the subdivision is phased the entire storm drainage system shall be required to be flushed at the two year interval as recited in (1) even when the earlier phases have been built out and remaining phases remain under development.

3) Upon substantial completion of a subdivision, a developer shall be required to regrade detention and retention ponds.

The purpose of this revision is to assure the free flow and full capacity of storm drainage systems while a subdivision remains under construction.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

May 23, 2005

File: rstormwaterdrainagepublicimprovementpermit505

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER AMATURA, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid
from their respective accounts as per abstract to be filed in the Office of the Town Clerk by
the Director of Administration and Finance, to wit:

Claim No. 15111 to Claim No. 15468 Inclusive

Total amount hereby authorized to be paid: \$300,624.16

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

May 23, 2005

File: Reclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are waived for this permit.

(CSW) = Conditional sidewalk waiver.

(V/L) = Village of Lancaster

NEW PERMITS:

12636	C. Tucker Homes	20 Beatrix Cir	Er. Dwlg.-Sin.	
12714	Mike Spahn Pools	3763 Bowen Rd	Er. Pool-Abv Gmd	
12715	Seams Sew Perfect	4725 Transit Rd	Er. Sign-Temp	
12716	Duro-Shed Inc	33 Park Blvd	Er. Shed	(V/L)
12717 SW	Barry, Keith	552 Hall Rd	Er. Dwlg.-Sin.	
12718	Premier Fence	5888 Broadway	Er. Fence	
12719	Colley's Pool Sales Inc	12 Fox Trace	Er. Pool-In Grnd	
12720	Waiss, Walter	181 Nathan's Trl	Er. Res. Alt.	
12721	Wal-Cem Corp	2 Benzel Ct	Dem. Comm. Bldg	
12722	Vickerd, Don	32 Quail Run Ln	Er. Pool-Abv Gmd	
12723	Slivan Pool & Const.	5 Hillside Pky	Er. Pool-Abv Gmd	
12724	Avalon Services	721 Erie St	Er. Pool-Abv Gmd	
12725	Majestic Pools Inc	15 Fox Trace	Er. Fence	
12726	Majestic Pools Inc	15 Fox Trace	Er. Pool-In Grnd	
12727	Smith, Michael	8 Pine View Ln	Er. Shed	
12728	Duro-Shed Inc	43 Apple Blossom	Er. Shed	
12729	Campanella, Michael	6397 Genesee St	Er. Deck	
12730	Duro-Shed Inc	3 Fox Hunt Rd	Er. Shed	
12731	Duro-Shed Inc	841 Erie St	Er. Shed	
12732	Kowalewski, Robert	41 Erie St	Er. Shed	(V/L)
12733	Samcoe Recreation	5077 Transit Rd	Er. Sign-Temp	
12734	Schaefer, James	112 Albert Dr	Er. Shed	(V/L)
12735	Ertl, Peter	33 Summerfield Dr	Er. Shed	
12736	Rogowski, Kelly	5072 William St	Er. Shed	
12737	Minchen, Michael	88 Kurtz Ave	Er. Shed	(V/L)
12738	Duro-Shed Inc	15 Lake Forest Pky W	Er. Shed	
12739	Heiler, William	35 Windcroft Ln	Er. Deck	
12740	King, Kenneth Jr	146 Nathan's Trl	Er. Res. Add.	
12741	Randaccio Bldrs Inc	13 Beatrix Cir	Er. Dwlg.-Sin.	
12742	Eberth, Garrett	69 Newberry Ln	Er. Fence	
12743	Penner, Paul	151 Fourth Ave	Dem. Garage	(V/L)

12744	Marrano, Anthony	45 Hill Valley Dr	Er. Shed	
12745	Delancy, Timothy	39 Summerfield Dr	Er. Deck	
12746	Ritter, Andrew	7 Field Ave	Er. Fence	(V/L)
12747	Premier Fence Co	45 Michael's Walk	Er. Fence	
12748	Creative Fence Co Inc	501 Lake Ave	Er. Fence	
12749	Creative Fence Co Inc	3684 Walden Ave	Er. Fence	
12750	Sun Enterprises Inc	20 Fox Trace	Er. Shed	
12751	Smistek, Arthur	19 Country Pl	Er. Shed	
12752 SW	Marrano/Marc Equity	188 Ransom Rd	Er. Dwlg.-Sin.	
12753	Marrano/Marc Equity	4 Walnut Creek Trl	Er. Dwlg.-Sin.	
12754	Majestic Pools Inc	10 Dorchester Ct	Er. Fence	
12755	Majestic Pools Inc	10 Dorchester Ct	Er. Pool-In Grnd	
12756	Lesniak, Richard	26 Parkedge Dr	Er. Shed	
12757	T.S. Schiffler Inc	8 Livingston St	Er. Res. Add.	(V/L)
12758	Loos, Norman	672 Townline Rd	Er. Deck	
12759	Duro-Shed Inc	24 Signal Dr	Er. Shed	
12760	Holiday Lumber Co	5 Windcroft Ln	Er. Res. Add.	
12761	Stutz, Bruce	49 Via Donato E	Er. Res. Add.	
12762	Duro-Shed Inc	91 Stony Rd	Er. Shed	
12763	Stiller, Thomas	268 Schwartz Rd	Er. Pool-Abv Grnd	
12764	Guida, James	6425 Transit Rd	Er. Sign-Temp	
12765	Penner, Paul	151 Fourth Ave	Er. Garage	(V/L)
12766	Klimck, Wieslaw	3 Schilling Ct	Er. Pool-Abv Grnd	
12767	Carosa, Chris	23 Ashwood Ct	Er. Deck	
12768	Sun Enterprises Inc	7 Thomas Dr	Er. Shed	
12769	Hastla Pizza	470 Aurora St	Er. Sign-Temp	
12770	Toddle Town	4891 Transit Rd	Er. Sign-Temp	
12771	Spyres, David	243 Lake Ave	Er. Shed	(V/L)
12772	Lawrence, Jay	60 Norris Ave	Er. Garage	(V/L)
12773	Capozzi, Ronald	145 Siebert Rd	Er. Pool-Abv Grnd	
12774	Jurek, Valerie	6148 Broadway	Er. Sign	
12775	Braymiller Builders	257 Seneca Pl	Er. Res. Add.	
12776	Ventura, Joseph	25 Highland Pl	Er. Fence	(V/L)
12777	Duro-Shed Inc	2 Fox Trace	Er. Shed	
12778	Gary Pools Inc	2 Fox Trace	Er. Pool-Abv Grnd	
12779	J Gun Enterprises Inc	16 Hidden Trl	Er. Pool-In Grnd	
12780	J Gun Enterprises Inc	16 Hidden Trl	Er. Fence	
12781	Swiatkowski, Aloisius	10 Avian Way	Er. Fence	
12782	Cross, Kevin	16 Creekwood Dr	Er. Pool-Abv Grnd	
12783	Duro-Shed Inc	13 Chestnut Corner	Er. Shed	
12784	DiCesare, Samuel	23 St Joseph St	Er. Pool-Abv Grnd	(V/L)
12785	Machovoe, Robert	7 Old Schoolhouse Rd	Er. Shed	
12786	Young, Gregory	5538 Broadway	Er. Fence	(V/L)
12787	Legowski, Mark	13 Meadow Lea Dr	Er. Deck	
12788	Fasanella, John	12 Nottingham Ln	Er. Fence	

12789	Krause, Michael	40 Michael's Walk	Er. Deck	
12790	Forbes Capretto	103 Kennedy Ct	Er. Dwlg.-Sin.	
12791	Forbes Capretto	92 Kennedy Ct	Er. Dwlg.-Sin.	
12792	Forbes Capretto	90 Kennedy Ct	Er. Dwlg.-Sin.	
12793	Iroquois Fence Co	46 Rehm Rd	Er. Fence	
12794	Landmark Const. Co	165 Court St	Er. Comm. Alt.	(V/L)
12795	Amanti, Joseph	25 Sagebrush Ln	Er. Fence	
12796	Premier Fence Co	15 Charlton Pl	Er. Fence	
12797	Mesner, Steven	392 Seneca Pl	Er. Fence	
12798	Minchen, Michael	88 Kurtz Ave	Er. Pool-Abv Grnd	(V/L)
12799	Super Cuts	4779 Transit Rd	Er. Sign-Temp	
12800	Homes by Natale Inc	5067 William St	Er. Dwlg.-Sin.	
12801	Burger, George	2012 Como Park Blvd	Er. Shed	(V/L)
12802	Gramza, John	247 Warner Rd	Er. Fence	
12803	Homestead Designs	756 Hall Rd	Er. Shed	
12804	Regan, J Michael	70 Pleasant Ave	Er. Deck	(V/L)
12806	Mathews, Thomas	14 Stone Hedge Dr	Er. Shed	
12807	Rich Pools	6066 Broadway	Er. Pool-Abv Grnd	
12808	Iroquois Fence Inc	18 Signal Dr	Er. Fence	
12809	Bognar Brothers	5220 Broadway	Dem. Bldg	(V/L)
12810	Bognar Brothers	5236 Broadway	Dem. Garage	(V/L)
12811	Premier Fence Co	43 Apple Blossom Blvd	Er. Fence	
12812	Nguyen, Loc	18 Village View	Er. Shed	

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

May 23, 2005

File: Rbldg2

SUSPENDED RESOLUTION:

Supervisor Giza requested a suspension of the necessary rules for immediate consideration of the following resolutions:

Council Member Ruffino, moved to suspend the necessary rules for immediate consideration of the following resolution, seconded by Council Member Amatura, which resulted as follows

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

SUSPENSION GRANTED

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, Sprint Spectrum L.P. currently leases ground on the paper street owned by the Town known as Hayes Avenue for the purpose of locating a telecommunication tower on that site for which Sprint pays rent to the Town, and

WHEREAS, Sprint Spectrum L.P. is desirous of subleasing its interest in the lease with the Town to Global Signal and to that end has requested that the Town execute an estoppel certificate to permit the sublease beforementioned with no change in the conditions contained in the lease between the Town of Lancaster and Sprint Spectrum L.P., and

WHEREAS, the Town Board has given due review and consideration to the request and is in receipt of a letter from Global Signal which confirms that the revenue sharing provision contained in the lease between Sprint Spectrum L.P. and the Town of Lancaster together with other provisions of that lease will not change and will continue to apply as written and which shall include a continuation of the requirement that third party co-locators who are currently installed on the tower or who may install in the future shall continue to pay the Town for the privilege of co-location on the tower which is on Town owned property;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to execute the estoppel certificate for Sprint Tower No. BU03XCO68 which is the subject of the ground lease with the Town of Lancaster, the tower being situate on Town owned property, the execution of such estoppel certificate permitting the sublease of its interest in the lease to Global Signal Inc., 301 North Cattlemen Road, Suite 300, Sarasota, FL. upon the express condition that all terms and conditions recited in the original ground lease entered into between the Town of Lancaster and Sprint Spectrum L.P., including provisions regarding the co-location of other telecommunications companies on the tower, shall remain in place and be binding upon Global Signal Inc. or its successor in interest.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

May 23, 2005

File: rsprintspectrumlp505

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED IT'S ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Vehicle and Traffic Law of the State of New York permits municipalities to adopt "Children At Play" signs where it may not be manifest that children are in the area, and

WHEREAS, the Town Board has given due review and consideration to the locating of "Children At Play" signs on Enchanted Forest North and believes it to be in the public interest to set a public hearing to consider the adoption of such amendment of the Town Vehicle and Traffic ordinance;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on a proposed amendment to the Vehicle & Traffic Ordinance, Chapter 46 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 6th day of June 2005, at 8:40 o'clock P.M., Local Time, and that Notice of the Time and Place of such hearing be published on or before May 26, 2005, in the Lancaster Bee, the Official Newspaper, being a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	WAS ABSENT
SUPERVISOR GIZA	VOTED YES

May 23, 2005

File: rvtordenchantedforestnorthchildrenatplay505

LEGAL NOTICE
PUBLIC HEARING
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK
DESIGNATED AS CHAPTER 46 OF CODE OF TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 23rd day of May, 2005, the said Town Board will hold a Public Hearing on the 6th day of June, 2005, at 8:40 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the adoption of "Children At Play" signs on Enchanted Forest North which will cause an amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, Eric County, New York, designated as Chapter 46 of the Code of said Town.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

By: **JOHANNA M. COLEMAN**
Town Clerk

May 23, 2005

File: ordenchantedforestnorthchildrenatplay505

COMMUNICATIONS & REPORTS:

219. General Crew Chief to Planning Board, Council Members Montour, Ruffino, and Stempniak -
Notice of no concern by Town Forestry Department regarding landscape plans for Niagara Lutheran Development; indicates need for landscape plans for Kunvarji Hotels and Proposed Commercial Development Park & Pilot Travel Center; notice of approval of plan for Vellano Brothers Supply Building, comment noted. DISPOSITION = Planning Committee
220. Town Clerk to Town Board -
Transmittal of third settlement for 2005 County/Town Tax Warrant. DISPOSITION = Received & Filed
221. General Crew Chief to Supervisor -
Notice of completion of "Arbor Week" activities by Town Forestry Department. DISPOSITION = Received & Filed
222. The Pipeline Group - Midwest, Inc. to Town Board, Planning Board, Zoning Board -
Invitation to safety presentation related to excavations to be held May 24, 2005, 6:30 PM at Buffalo Marriott. DISPOSITION = Received & Filed
223. NYS DOT to Town Attorney -
Notification of Lead Agency Designation regarding site plan and proposed rezone for Gourmet Grocery Store, 4745 William Street; comments and concerns noted. DISPOSITION = Planning Committee
224. NYS DEC to Town Attorney -
Comments and concerns regarding proposed Bersani-Huck Retail & Multi-family Development, Transit Road. DISPOSITION = Planning Committee
225. Association of Erie County Governments to Town Board -
Notice of meeting to be held Thursday, May 26, 2005, 6:30 PM in Clarence. DISPOSITION = Received & Filed
226. Town Clerk to Town Board -
Transmittal of monthly report for April 2005. DISPOSITION = Received & Filed
227. Town Clerk to Various News Media -
Notice of rescheduled regular meeting of the Town Board from May 16, 2005 to May 23, 2005. DISPOSITION = Received & Filed
228. Planning Board Chairman to Planning Board, Town Board, Town Engineer, Highway Superintendent, Deputy Town Attorney, Building Inspector -
Draft copy of Planning Board minutes of meeting held May 4, 2005. DISPOSITION = Received & Filed
229. Planning Board to Town Board -
Recommend adjournment of Revised Site Plan Review of proposed Kunvarji Hotels Inc., 6673 Transit Road; requested additional information. DISPOSITION = Received & Filed
230. Planning Board to Town Board -
Recommend adjournment of Rezone Application of Retail Center & Multi-Family Units, encircling Kohl's Store; requested additional information. DISPOSITION = Received & Filed
231. Planning Board to Town Board -
Recommend approval of Rezone Application of Gourmet Grocery Store, 4745 William Street; conditions noted. DISPOSITION = Received & Filed
232. Depew Varsity Softball Coach to General Crew Chief -
Letter of appreciation for use of Walden Pond Park for championship games. DISPOSITION = Received & Filed

233. General Crew Chief to Planning Board, Council Members Montour, Ruffino, & Stempniak -
Notice of no concern by Town Forestry Department regarding plans for Summerfield Farms Subdivision, Phase 4 and Mohawk Place Subdivision. If landscaping is planned, then landscape drawings should be submitted. DISPOSITION = Planning Committee
234. Dutch Mill Restaurant to Town Clerk -
Advisement of liquor license application. DISPOSITION = Town Attorney
235. L.I.D.A. to Town Board -
Notice of meeting to be held Thursday, June 2, 2005 at 4:00 PM to consider financial assistance for the Transit Leasing Corporation project. DISPOSITION = Received & Filed
236. Bowmansville Volunteer Fire Association to Supervisor -
Recommendation of road layout (ingress and egress) regarding proposed Pleasant Meadows Subdivision as it relates to emergency response. DISPOSITION = Planning Committee
237. Town of Aurora to Town Board -
Transmittal of adopted resolution regarding motorcycle safety and awareness. DISPOSITION = Received & Filed
238. NYS DEC to Victor Martucci, Fairway Hills Development, LLC -
Transmittal of letter regarding Water Quality Certification for Summerfield Farms Subdivision, Phase IV. DISPOSITION = Planning Committee
239. NYS DEC to Town Attorney -
Notification of Lead Agency Designation regarding Grocery Store Construction, 4745 William Street; comments noted. DISPOSITION = Planning Committee
240. NYS DEC to Town Attorney -
Notification of Lead Agency Designation regarding proposed Mohawk Place Subdivision; comments noted. DISPOSITION = Planning Committee
241. Erie County Department of Public Works to Town Attorney -
Notification of Lead Agency Designation regarding proposed Mohawk Place Subdivision. DISPOSITION = Planning Committee
242. Erie County Department of Public Works to Town Attorney -
Notification of Lead Agency Designation regarding rezone application of proposed Retail Center & Multi-Family development, 4817, 4827, 4839 Transit Road; comment noted. DISPOSITION = Planning Committee
243. Planning Board to Town Board -
Recommend adjournment of Rezone Application for Gourmet Grocery Store, 4745 William Street; requested additional information. DISPOSITION = Planning Committee
244. General Crew Chief to Planning Board, Council Members Montour, Ruffino, & Stempniak -
Request for landscaping plan regarding Site Plan of Kunvarji Hotels, 6673 Transit Road. DISPOSITION = Planning Committee
245. NYS DOT to Town Attorney -
Notification of Lead Agency Designation regarding rezone application of proposed Retail Center & Multi-Family development, 4817, 4827, 4839 Transit Road; request for Traffic Impact Study & detailed site plan. DISPOSITION = Planning Committee
246. Erie County Department of Environment & Planning to Town Attorney -
Comments from the Division of Sewerage Management regarding proposed Windsor Ridge Subdivision South. DISPOSITION = Planning Committee

247. Joyce Quinn to Town Clerk -
Letter of resignation as Clerk, Part-Time effective May 26, 2005. DISPOSITION = Received & Filed
248. Town Clerk to Town Board -
-Request appointment of Rose Ann Brunstad as clerk, part time. DISPOSITION = Resolution 5/23/2005
249. Town Clerk to Town Board -
Special Use Permit Application for Enterprise Car Rental, 6699 Transit Road.
DISPOSITION = Planning Committee
250. Town Clerk to Town Board -
Special Use Permit Application for Progressive Insurance Facility, 6691 & 6699 Transit Road. DISPOSITION = Planning Committee
251. Village of Lancaster to Town Board -
Minutes of official meeting held April 25, 2005. DISPOSITION = Received & Filed
252. General Crew Chief to Supervisor -
Request appointment of Ronald Polanski as Senior Van Driver. DISPOSITION = Resolution 5/23/2005
253. Lynn Harrington to Supervisor -
Letter of resignation as Program Coordinator, Full-Time and requesting appointment as Program Coordinator, Part-Time. DISPOSITION = Resolution 5/23/2005
254. Kenneth M. Tobolski, Michelle Tobolski to Town Board -
Comments and concerns regarding proposed Mohawk Place Subdivision.
DISPOSITION = Planning Committee
255. Lisa Sheehan to Supervisor, Town Board -
Letter and petition requesting traffic safety and speed limit signs on Enchanted Forest North. DISPOSITION = Police, For Public Hearing 6/6/2005
256. Adelphia to Supervisor -
Letter notifying Town of changes in cable television channel line-up. DISPOSITION = Received & Filed
257. Allyn & Jean Siebert, Tony & Pam Stapleton to Town Board -
Letter of appreciation regarding recent fire at 5148 William Street. DISPOSITION = Received & Filed
258. Rick & Tina Ingalsbe to Supervisor -
Comments and concerns regarding proposed Mohawk Place Subdivision.
DISPOSITION = Planning Committee
259. Erie County Legislature to Town Board -
Transmittal of adopted resolution regarding New York State Thruway tolls in Buffalo area. DISPOSITION = Received & Filed
260. Planning Board Chairman to Planning Board Members, Town Board, Town Engineer, Highway Superintendent, Deputy Town Attorney, Building Inspector -
Draft copy of Planning Board minutes of meeting held May 18, 2005. DISPOSITION = Received & Filed
261. Planning Board to Town Board -
Recommend approval of Revised Site Plan for proposed Kunvarji Hotels Inc., 6673 Transit Road; conditions noted. DISPOSITION = Resolution 5/23/2005
262. Planning Board to Town Board -
Recommend approval of Revised Site Plan for proposed Mohawk Place Subdivision; conditions noted. DISPOSITION = Planning Committee

263. Planning Board to Town Board -
Recommend approval of Preliminary Plat for Summerfield Farms Subdivision, Phase IV; conditions noted. DISPOSITION = Planning Committee
264. Planning Board to Town Board -
Recommend approval of Rezone Application for Gourmet Grocery Store, 4745 William Street; conditions and comment noted. DISPOSITION = Planning Committee
265. General Crew Chief to Planning Board, Council Members Montour, Ruffino, & Stempniak -
Notice of approval of landscape plan for proposed Kunvarji Hotels Inc., 6673 Transit Road. DISPOSITION = Planning Committee

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER MONTOUR, SECONDED BY COUNCIL MEMBER RUFFINO AND CARRIED, the meeting was adjourned at 11:00 P.M.

Signed


Johanna M. Coleman, Town Clerk